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Europäisches  
Patentamt

Zweigstelle  
in Den Haag  
Recherchen-  
abteilung

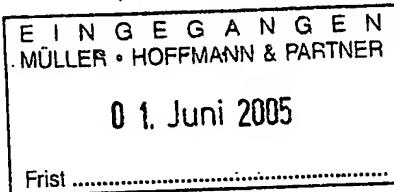
European  
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Branch at  
The Hague  
Search  
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Office européen  
des brevets

Département à  
La Haye  
Division de la  
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53800 Gö/se

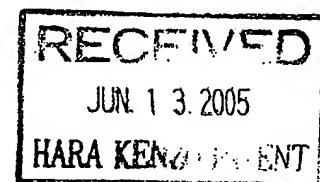
Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°  
01904487.4

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire  
Biochem Industrial Co. Ltd.

## COMMUNICATION

The European Patent Office herewith transmits

- the European search report
- the declaration under Rule 45 EPC
- the partial European search report under Rule 45 EPC
- the supplementary European search report concerning the international application under Article 157(2) EPC relating to the above-mentioned European patent application. Copies of the documents cited in the search report are enclosed.



The following specifications given by the applicant have been approved by the Search Division :

Abstract       Title       Figure

- The abstract was modified by the Search Division and the definitive text is attached to this communication.
- The following figure will be published with the abstract, since the Search Division considers that it better characterises the invention than the one indicated by the applicant.

Figure:

- Additional copy(copies) of the documents cited in the European search report.

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim
X	US 5 158 939 A (TAKAYAMA ET AL) 27 October 1992 (1992-10-27) * column 3, lines 1-25; claims 4,5 * * column 5, lines 3-25 * -----	2-4,6-10
X	HUANG Z ET AL: "STUDIES ON POLYSACCHARIDES FROM THREE EDIBLE SPECIES OF NOSTOC (CYANOBACTERIA) WITH DIFFERENT COLONY MORPHOLOGIES: COMPARISON OF MONOSACCHARIDE COMPOSITIONS AND VISCOSITIES OF POLYSACCHARIDES FROM FIELD COLONIES AND SUSPENSION CULTURES" JOURNAL OF PHYCOLOGY, PHYCOLOGICAL SOCIETY OF AERICA, NEW YORK, NY, US, vol. 34, no. 6, 1998, pages 962-968, XP001095521 ISSN: 0022-3646 * abstract; table 1 * * page 963, column 1, paragraph 2 * -----	2,6-10
X	DATABASE BIOSIS 'Online!' BIOSCIENCES INFORMATION SERVICE, PHILADELPHIA, PA, US; May 1999 (1999-05), WATANABE MASANORI ET AL: "Flocculating property of extracellular polymeric substance derived from a marine photosynthetic bacterium, Rhodovulum sp" XP002327481 Database accession no. PREV199900432460 * abstract * & JOURNAL OF BIOSCIENCE AND BIOENGINEERING, vol. 87, no. 5, May 1999 (1999-05), pages 625-629, ISSN: 1389-1723 -----	2,7-10
3	The supplementary search report has been based on the last set of claims valid and available at the start of the search.	
Place of search		Date of completion of the search
Munich		9 May 2005
Examiner		Heirbaut, M
CATEGORY OF CITED DOCUMENTS		
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document		
T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document		



European Patent  
Office

Application Number  
EP 01 90 4487

### CLAIMS INCURRING FEES

The present European patent application comprised at the time of filing more than ten claims.

- Only part of the claims have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims and for those claims for which claims fees have been paid, namely claim(s):
  
- No claims fees have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims.

### LACK OF UNITY OF INVENTION

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

see sheet B

- All further search fees have been paid within the fixed time limit. The present European search report has been drawn up for all claims.
  
- As all searchable claims could be searched without effort justifying an additional fee, the Search Division did not invite payment of any additional fee.
  
- Only part of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the inventions in respect of which search fees have been paid, namely claims:
  
- None of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims, namely claims:



European Patent  
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LACK OF UNITY OF INVENTION  
SHEET B

Application Number

EP 01 90 4487

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. claims: 1, 5

Rhodopseudomonas capsulatas FERM BP-7434 and health foods comprising viscous metabolic products obtainable by incubating it

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2. claims: 2-4, 6-10

Health foods comprising viscous metabolic products obtainable by incubating a photosynthetic bacterium

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**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

**EP 01 90 4487**

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.  
The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

**09-05-2005**

Patent document cited in search report	Publication date		Patent family member(s)	Publication date
US 5158939	A	27-10-1992	US 5041427 A AT 164517 T AU 6051790 A DE 69032206 D1 DE 69032206 T2 DK 466838 T3 EP 0466838 A1 ES 2113861 T3 JP 4503363 T WO 9101134 A1	20-08-1991 15-04-1998 22-02-1991 07-05-1998 23-07-1998 27-04-1998 22-01-1992 16-05-1998 18-06-1992 07-02-1991